

DEPARTMENT OF SOCIAL SERVICES

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July 16, 1982

ALL-COUNTY LETTER NO. 82-68

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: AFDC TREATMENT OF CONTRIBUTION FROM NONCARETAKER PARENT

REFERENCE:

This is to clarify policy regarding contributions to the eligible child from the noncaretaker parent in joint physical custody situations.

Previously some counties were advised through individual letters that when a child lives for a time with the noncaretaker parent and during such time is supported by that parent, such support is to be considered fulfillment, in part or whole, of the noncaretaker parent's support responsibility. Those counties were also advised that child support credit could be given for the value of support given the child during the period that the noncaretaker parent has the child.

Upon review of this issue, it has been determined that our prior advice was in error. Whether or not the noncaretaker parent is fulfilling his/her duty of support during the period that the child lives with this parent is a matter which must be determined on a case-by-case basis by the District Attorney's Office. Accordingly, if you have any questions regarding the child support responsibility of a parent you should direct them to your County's District Attorney's Office.

*Kyle S. McKinsey*

KYLE S. MCKINSEY  
Deputy Director

cc: CWDA